08-13555-mg Doc 57159 Filed 12/15/17 Entered 12/15/17 12:22:39 Main Document Presentment Date apply December 22, 2017 at noon (Prevailing Eastern Time)

Objection Deadline: December 21, 2017 at noon (Prevailing Eastern Time)

Hearing Date and Time (Only if Objection Filed): January 23, 2018 at 10:00 a.m. (Prevailing Eastern Time)

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS INC., et al., : 08-13555 (SCC)

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Debtors. : (Jointly Administered)

: .--v

NOTICE OF PRESENTMENT OF ORDER FURTHER
MODIFYING THE AMENDED ORDER PROVIDING FOR

ALTERNATIVE DISPUTE RESOLUTION PROCEDURES FOR AFFIRMATIVE CLAIMS OF THE DEBTORS UNDER DERIVATIVES TRANSACTIONS WITH SPECIAL PURPOSE VEHICLE COUNTERPARTIES

PLEASE TAKE NOTICE that the undersigned will present the annexed Order Further Modifying the Amended Order Providing for Alternative Dispute Resolution Procedures for Affirmative Claims of the Debtors Under Derivatives Transactions with Special Purpose Vehicle Counterparties (the "Modification Order") to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, for signature on December 22, 2017 at noon (Prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that unless a written objection to the Modification Order, with proof of service, is served and filed with the Clerk of the Court and a courtesy copy is delivered to the undersigned and to the chambers of the Honorable Shelley C. Chapman so as to be received by **December 21, 2017 at noon (Prevailing Eastern Time)**, there will not be a hearing and the Modification Order may be signed.

PLEASE TAKE FURTHER NOTICE that if a written objection is timely served and filed, a hearing will be held to consider the Modification Order on January 23, 2018 at 10:00 a.m. (Prevailing Eastern Time) (the "Hearing") before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Customs House, Courtroom 623, One Bowling Green, New York, New York 10004.

PLEASE TAKE FURTHER NOTICE that objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted or denied upon default.

Dated: December 15, 2017 New York, New York

/s/ Jaqueline Marcus
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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS, INC., et al., : 08-13555 (SCC)

:

Debtors. : (Jointly Administered)

ORDER FURTHER MODIFYING THE AMENDED ORDER PROVIDING FOR ALTERNATIVE DISPUTE RESOLUTION PROCEDURES FOR AFFIRMATIVE CLAIMS OF THE DEBTORS UNDER DERIVATIVES TRANSACTIONS WITH SPECIAL PURPOSE VEHICLE COUNTERPARTIES

The Court having entered the Amended Order Providing for Alternative Dispute

Resolution Procedures for Affirmative Claims of the Debtors Under Derivatives Transactions

with Special Purpose Vehicle Counterparties [ECF No. 29507] (the "Amended SPV Derivatives

ADR Order") on July 21, 2012; and the Court having entered the Order Modifying the Amended

Order Providing for Alternative Dispute Resolution Procedures for Affirmative Claims of the

Debtors Under Derivatives Transactions with Special Purpose Vehicle Counterparties [ECF No.

55342] (the "Order Modifying the Amended SPV Derivatives ADR Order") on May 11, 2017;

¹ All capitalized terms used but not defined herein shall the meaning ascribed to such terms in the Amended SPV Derivatives ADR Order.

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and the Order Modifying the Amended SPV Derivatives ADR Order having amended paragraph

13 of the Amended SPV Derivatives Order to provide for semi-annual reporting requirements;

and since the entry of the Order Modifying the Amended SPV Derivatives ADR Order, the

volume of Disputed SPV Transactions having substantially decreased to the point where periodic

reporting on derivatives ADR proceedings does not provide material information to the creditor

body; and given that continued periodic reporting has the potential to prejudice the Plan

Administrator's ability to maximize the value of the estate and imposes unnecessary costs on the

Debtors' estates; and the periodic reporting of ADR proceedings having served its purpose and

outlived its usefulness; and after due deliberation and sufficient cause appearing therefor, it is

hereby

ORDERED that the periodic reporting required by the Order Modifying the Amended

SPV Derivatives Order and the Amended SPV Derivatives ADR Order be eliminated effective as

of December 1, 2017; and it is further

ORDERED that, except as provided herein, the Amended SPV Derivatives ADR Order

shall remain in full force and effect.

Dated: New York, New York

_____, 2017

Honorable Shelley C. Chapman

United States Bankruptcy Judge

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